

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Jaclyn Joseph	Team: Team # 4	CCRB Case #: 200811303	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 08/05/2008 8:45 PM	Location of Incident: Van Cortlandt Park, near 245th Street	Precinct: 50	18 Mo. SOL 2/5/2010	EO SOL 2/5/2010	
Date/Time CV Reported Tue, 08/05/2008 10:10 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Tue, 08/05/2008 10:10 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT Julio Delgado	02981	918927	050 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Rafael Perez	14240	930942	048 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Julio Delgado	Abuse: Sgt. Julio Delgado stopped § 87(2)(b) and individuals.	
B.SGT Julio Delgado	Discourtesy: Sgt. Julio Delgado spoke rudely to § 87(2)(b)	

Synopsis

On August 5, 2008 § 87(2)(b) called the CCRB to make a complaint, but failed to leave a narrative of his complaint. On August 6, 2008 the CCRB called § 87(2)(b) to obtain a description of the incident. § 87(2)(b) stated that on August 5, 2008 at approximately 8:45PM in the vicinity of Van Cortlandt Park near 245th Street in the Bronx, he was leaving a softball field with about seven friends. § 87(2)(b) stated that one of his friends was PO Rafael Perez of the 48th Precinct. § 87(2)(b) stated that Sgt. Julio Delgado, from the 50th Precinct, drove up to his group friends and he told one of his friends that they were not going to speak to the officer until addressed. § 87(2)(b) spoke to his friend in Spanish. He stated that Sgt. Delgado approached him and informed him he also could speak Spanish. Sgt. Delgado said, “Oh, you think I’m a white person? I understood what you said.” Sgt. Delgado then asked the group for identification, stating they were approached for drinking in the park. § 87(2)(b) stated that neither he nor his friends were drinking. PO Perez then informed Sgt. Delgado that he was a police officer and Sgt. Delgado told him he could leave but the rest of the group had to stay. Identification was provided to Sgt. Delgado by the rest of the group. PO Perez told Sgt. Delgado that § 87(2)(b) had a big mouth. Sgt. Delgado then said to § 87(2)(b) that he had a “fucking big mouth” and a “fucking attitude.” Sgt. Delgado informed the group that the park closes at 10:00PM, even though it was only 8:45 at the time of the incident. No summonses were issued.

On August 6, 2008 § 87(2)(b) indicated that he wished to withdraw his complaint because he did not wish to involve his friends. He indicated that this decision was not influenced by anyone. This conversation was recorded on tape 200811303, Side A, and ASI Higginbotham reviewed the tape. § 87(2)(b) was sent a withdrawal form on August 6, 2008 which will be included in the case file upon its receipt. The CCRB called § 87(2)(b) twice on August 25, 2008 to obtain the names and contact information of the individuals he was with at the time of the incident. At the writing of this report § 87(2)(b) has not contacted the CCRB. § 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: